

Section 605 - Adopting Fire Codes, Establishing the Fire Prevention Bureau and Fire Lanes

605.01 Adoption of Codes. The following are adopted and incorporated by reference as a section of this Code:

Subd. 1 **Minnesota State Fire Code.** The 2007 Minnesota State Fire Code (MSFC), promulgated by the State Department of Public Safety as published July 10, 2007 in Minnesota Rules, 7511.0010 through 7511.7900 with the changes and omissions as set forth in this Section.

Subd. 2. **International Fire Code.** The 2006 Edition of the International Fire Code (IFC) promulgated by the International Code Council, Inc., with the changes and omissions as set forth in this Section and in the MSFC.

Subd. 3 **Appendices.** The following appendix of Minnesota Rules 7511.7900, Amendments to Appendices of International Fire Code, is adopted as part of this Code: H (Fires or Barbecues on Balconies or Patios).

605.02 Amendments to the MSFC and IFC.

Subd. 1 Section 105.6.30 of the IFC as adopted by the MSFC is amended by deleting the exception.

Subd. 2 Section 307 "Open Burning" of the IFC as adopted by the MSFC is amended by adding to it new sections as follows:

307.1 Open Fires Prohibited. No person shall ignite, cause to be ignited, or maintain an open fire except as permitted in Section 307.

307.2 Certain Open Fires Permitted. An open burning permit may be issued for the following purposes:

1. Instruction and training of firefighting personnel.
2. Abatement of hazards that, in the opinion of the Fire Chief, cannot be abated by other reasonable means.
3. Management of vegetation by the jurisdiction, other governmental agencies, or other individuals that, in the opinion of the Fire Chief, show a valid need, and under the direction of the Fire Department.
4. Special events or ceremonies by recognized organizations, under the direct supervision of the Fire Department.
5. Recreational fires as approved by the Fire Chief

Subd. 3 **Chapter 9.** Chapter 9 "Fire Protection Systems", Section 901.3 Permits, of the IFC as adopted by the MSFC is amended to read:

901.3 Permits. Permits shall be required as set forth in Section 625 of the City Code.

605.03 Establishment of the Fire Prevention Bureau. The Fire Prevention Bureau is continued as part of the Fire Department. It shall be operated under the supervision of the Fire Chief. The members of the Fire Prevention Bureau shall be the Fire Chief, Fire Marshal, and all Fire Inspectors. The Fire Chief from time to time may appoint other personnel of the Fire Department to positions in the Fire Prevention Bureau.

605.04 Enforcement & Appeals. The provisions of this Section shall be enforced by the Building Official and the Fire Prevention Bureau in accordance with Subsections 470.03 through 470.10 of this Code. Appeals from any order issued under this Section by the Building Official or the Fire Prevention Bureau shall be made in accordance with Subsections 470.03 through 470.10 of this Code.

605.05 Fees.

Subd 1. Permit Fee. The fee for each permit required by Section 105 of the MSFC, Chapter 6 of this Code and for each periodic renewal of an Operational Permit shall be in the amount set forth in Section 185 of this Code. Unless otherwise noted, all permits shall expire one year from the date of issuance.

Subd 2. Code Compliance Inspection Fee. A fee for inspections for compliance with the MSFC and this Code by outside agencies or businesses shall be in the amount set forth in Section 185 of this Code.

605.06 Fire Lanes.

Subd. 1 Establishment. The Fire Prevention Bureau shall establish fire lanes on public or private property as may be necessary to comply with the MSFC and in order that the travel of fire equipment may not be interfered with and that access to fire hydrants or buildings may not be obstructed.

Subd. 2 Existing Fire Lane Signs. Fire lanes in existence prior to the effective date of this Section shall be permitted to remain using existing signs so long as such signs are maintained in good repair and condition. If the Fire Prevention Bureau determines that such signs are not maintained as required in this Section, it shall require signing as provided in Subd. 3 of this Subsection.

Subd. 3 New Fire Lanes and Sign Specifications. Fire lanes established after the effective date of this Code, or existing fire lanes changed after the effective date of this Code, shall be marked by signs, not more than 75 feet apart, bearing the words, "No Parking, Fire Lane", with the first and last sign marking the limits of the fire lane. The signs shall have red letters and a red border on a white background, shall be at least 12 inches by 18 inches in size and shall otherwise comply with the standards from time to time established by the Fire Chief for such signs. The symbol for "No Parking" may also be used with the words "Fire Lane" below it. The Fire Chief may approve other styles of Fire Lane signs.

Subd. 4 **Maintenance of Signs.** When the fire lane is on public property or public right-of-way, the sign or signs shall be erected and maintained by the City, and when on private property, they shall be erected by the owner at the owners expense within 30 days after the owner has been notified of the order. After these signs are erected they shall be maintained by the owner at the owner's expense. After the signs are erected, no person shall park a vehicle in or otherwise occupy or obstruct the fire lane.

Subd. 5 **Towing Authorization.** Whenever any member of the Fire Prevention Bureau or a police officer finds a vehicle unattended and occupying or obstructing a fire lane, such member of the Fire Prevention Bureau or police officer is authorized to provide for removal and impoundment of the vehicle at the expense of the owner of the vehicle.

Subd. 6 **Violation and Citation** Violations of this subsection are exempted from the provisions of Subsection 605.09 and instead shall be governed and enforced by Subsection 100.09 and Subsection 175.01 of this Code. Citations shall be issued to vehicles parked in fire lanes defined by this Code section.

605.07 Violation. No person shall be convicted of violating this Section unless such person shall have been given notice of the violation in writing and have had a reasonable time to comply.

605.08 Interpretation. In the event of a conflict between the provisions of the MSFC and IFC as adopted by this Section, the most stringent provision shall apply. Provided, however, that no provision of this Section shall be interpreted to exceed the provisions of the Building Code.

History: Ord 613 adopted 5-16-90; Ord 1999-9 4-28-99; Ord 2000-07 7-5-00; Ord 2001-7 10-3-01; Ord 2004-6, 4-07-04; Ord 2007-15, 07-17-07

Reference: M.S. 299F, Minnesota Rules, 1991, Section 7510

Cross Reference: Sections 100, 175, 185, 470